

AMENDED IN SENATE JUNE 4, 2014
AMENDED IN ASSEMBLY MARCH 17, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1556

Introduced by Assembly Member Perea
(Coauthors: Assembly Members Ian Calderon, Frazier, Gonzalez,
and Wieckowski)

January 27, 2014

An act to amend Section 316 of, and to add Sections 320.3, 1253.92, and 1326.5 to, the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1556, as amended, Perea. Unemployment insurance.

Existing unemployment insurance law requires all standard information employee pamphlets provided by the Employment Development Department concerning unemployment and disability insurance programs to be printed in English and separately in Spanish, or both.

This bill would instead require those pamphlets to be printed in English and the 7 other most commonly used languages among participants in each program. This bill would require the ~~Employment Development Department~~ *department* to make pages on its Internet Web site that provide information regarding applying for, and receiving, unemployment insurance benefits available in the 7 languages, other than English, most commonly used by unemployment insurance applicants and claimants.

Existing unemployment insurance law requires the Employment Development Department to pay unemployment compensation benefits to unemployed individuals meeting specified requirements.

This bill would require the Director of Employment Development to periodically review policies and practices used to determine eligibility for and the amount of benefits in the unemployment insurance program, as specified, and report to the Legislature the results of the first review on or before July 1, 2015.

Existing law prohibits an unemployed individual from being disqualified for benefits solely on the basis that he or she is a student.

~~This bill would prohibit an unemployed individual who is otherwise eligible for and receiving unemployment compensation benefits from being deemed ineligible for a week in which the individual commenced a training or education program, if specified conditions are met.~~ *meeting specified requirements and is certifying for continued unemployment compensation from being scheduled for a determination of eligibility for a week in which the individual commenced or is participating in a training or education program and has notified the Employment Development Department of the training or education program. This bill would permit the department to schedule and conduct a determination of eligibility if the department determines that the commencement of, or the ongoing participation in, a training or education program conflicts with the eligibility requirements for unemployment compensation.* Because this bill would make changes to existing eligibility requirements for unemployment compensation benefits that would result in additional amounts being payable from the Unemployment Fund, a continuously appropriated fund, the bill would make an appropriation.

Existing law requires claims to be made in accordance with authorized regulations of the director.

This bill would require a continued claim to be submitted within a specified period. It would also prohibit the director from reevaluating a continued claim for eligibility solely because it was submitted 15 to 21 days, inclusive, from the end of the last week for which benefits were paid.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 316 of the Unemployment Insurance Code is amended to read:

316. (a) There shall be maintained within an appropriate division of the department, a bureau, section, or unit relating to education and public instruction for the purpose of informing employers and workers of their rights and responsibilities under this code, and of instructing the public generally concerning its basic purposes, provisions, and operations. All standard information employee pamphlets concerning unemployment and disability insurance programs shall be printed in English and the seven other most commonly used languages among participants in each program in such number as he or she may determine.

(b) The department shall make the pages on its Internet Web site that provide information regarding applying for, and receiving, unemployment insurance benefits available in the seven languages, other than English, most commonly used by unemployment insurance applicants and claimants.

SEC. 2. Section 320.3 is added to the Unemployment Insurance Code, to read:

320.3. (a) The director shall periodically review policies and practices used to determine eligibility for and the amount of benefits in the unemployment insurance program to identify those policies and practices that do all of the following:

(1) Result in delayed eligibility determinations or benefit payments.

(2) Increase workload for the department.

(3) Provide little or no value in identifying or preventing fraud or abuse in the unemployment insurance program.

(b) The director shall report to the Legislature the results of the first review on or before July 1, 2015, and may submit subsequent reports thereafter. The report shall be submitted in compliance with Section 9795 of the Government Code.

~~SEC. 3. Section 1253.92 is added to the Unemployment Insurance Code, to read:~~

~~1253.92. (a) An unemployed individual who is otherwise eligible for and receiving unemployment compensation benefits shall not be deemed ineligible for a week in which the unemployed~~

1 individual commenced a training or education program whenever
2 both of the following occur:

3 (1) The individual has notified the department of the training
4 or education program on a continued claim form.

5 (2) The individual has certified on the continued claim form to
6 all of the following:

7 (A) He or she looked for work.

8 (B) He or she was able to work.

9 (C) He or she was willing to accept full-time work in the same
10 week he or she began a training or education program.

11 (b) The department may conduct an inquiry to determine if the
12 commencement of the training or education program significantly
13 impairs the availability of the unemployed person. If the department
14 determines that the commencement of the training or education
15 program significantly impairs the unemployed person's availability
16 to accept work, then the department may take appropriate action
17 regarding the payment of unemployment benefits.

18 SEC. 3. Section 1253.92 is added to the Unemployment
19 Insurance Code, to read:

20 1253.92. (a) An unemployed individual who is meeting all of
21 the requirements under this division, including Section 1253.9,
22 and is certifying for continued unemployment compensation
23 benefits shall not be scheduled for a determination of eligibility
24 for a week in which the individual commenced or is participating
25 in a training or education program and has notified the department
26 of the training or education program.

27 (b) If the department determines that the commencement of, or
28 the ongoing participation in, a training or education program
29 conflicts with the eligibility requirements for unemployment
30 compensation under this division, the department may schedule
31 and conduct a determination of eligibility.

32 SEC. 4. Section 1326.5 is added to the Unemployment
33 Insurance Code, to read:

34 1326.5. A claimant shall submit a continued claim within 14
35 days of the end of the last week for which benefits were paid. The
36 director shall not reevaluate a continued claim for eligibility solely
37 due to a claim being submitted 15 to 21 days, inclusive, from the
38 end of the last week for which benefits were paid.

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